

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRISTOPHER HIRAM CANO,

Plaintiff,

-against-

CITY OF NEW YORK, et al.,

Defendants.
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UNSEALING ORDER

19 Civ. 1640 (LGS)

Honorable Lorna G. Schofield, United States District Judge

Upon the application of the parties for the unsealing of records pertaining to the criminal court order(s) in Bronx Supreme Court Indictment No. 02396/2016 concerning Article 730 of the New York Criminal Procedure Law, which may be protected from disclosure by both New York Criminal Procedure Law §§ 160.50 and 160.55, and/or the Health Insurance Portability and Accountability Act, 42 U.S.C. § 1320(d), et seq.;

WHEREAS the information sought is material and relevant to the above-captioned civil action currently pending in the Southern District of New York, brought by Plaintiff Christopher Hiram Cano, and being defended by the Office of the Corporation Counsel of the City of New York;

WHEREAS the Court has the inherent authority to unseal these records in connection with this action, see Schomburg v. Bologna, 298 F.R.D. 138, 141 (S.D.N.Y. 2014) (“Federal courts can and commonly do order production of documents sealed under Section 160.50”); see also 45 CFR 164.512(e)(1)(i) (A “covered entity may disclose protected health information in the course of any judicial or administrative proceeding: In response to an order of a court or administrative tribunal, provided that the covered entity discloses only the protected health information expressly authorized by such order.”).

IT IS HEREBY ORDERED that the records in the possession, custody, or control of the following entities, pertaining to criminal court order(s) in Bronx Supreme Court Indictment No. 02396/2016 concerning Article 730 of the New York Criminal Procedure Law, are unsealed

pursuant to New York Criminal Procedure Law §§ 160.50 and 160.55, and pursuant to 45 CFR 164.512(e)(1)(i), and may be made available for use in this civil action: (1) Mid-Hudson Forensic Psychiatric Center, 2834 Route 17M, New Hampton, New York 10958-015; and (2) Supreme Court of the State of New York, Criminal Term, County of Bronx, 265 E. 161st Street, Bronx, NY 10451.

IT IS FURTHER ORDERED that the aforementioned records shall be disclosed to James E. Johnson, Corporation Counsel of the City of New York, or his authorized representative; and

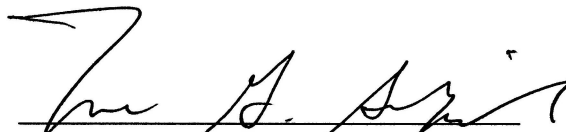
IT IS FURTHER ORDERED that the aforementioned records shall be deemed confidential and used only for the purposes of prosecuting and defending Plaintiff's claims in this civil suit.

Dated: New York, New York
December 17, 2019

HON. LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

The Clerk of Court is respectfully directed to mail a copy of this order to Pro Se Plaintiff. SO ORDERED.

Dated: December 17, 2019
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE